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October 17, 2008

TO: Each Supervisor

FROM: John F. Schunhoff, Ph.D.   
Interim Director

SUBJECT: **STATUS REPORT ON AUDITOR-CONTROLLER'S  
REPORT ON THE INVESTIGATION OF THE  
PERSONNEL REVIEW OF MARTIN LUTHER  
KING, JR.-HARBOR HOSPITAL EMPLOYEES**

This will provide a current status of DHS' implementation of recommendations from the subject audit report. As noted on the attached detailed status report, 5 (31%) of the 16 recommendations have been implemented, with the remainder in progress or partially implemented.

The Department of Human Resources (DHR) has completed its review of Department of Justice (DOJ) background screening cases, and is providing its findings under a separate cover. DHS will work with DHR to take any required disciplinary actions.

DHS continues to work with the CEO team to review DHS Human Resources (HR) operations and organizational structure. This will result in more timely and effective services to our facilities.

DHS HR is also working to implement improvements to the Performance Management section, including filling key vacancies to handle DOJ and discipline cases.

The DHS Office of Nursing Affairs will complete nurse competency re-testing for the MLK MACC by the end of October 2008. We have also begun developing system-wide standards for competency testing and training later this fiscal year.

We will provide your Board with another status report within 90 days. Please let me know if you have any questions or need additional information.

JFS:jj

Attachment

c: Auditor-Controller  
Chief Executive Officer  
Director of Personnel  
Executive Officer, Board of Supervisors

**COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES**

**IMPLEMENTATION STATUS REPORT TO THE AUDITOR-CONTROLLER'S  
RECOMMENDATIONS REGARDING ITS INVESTIGATION OF THE PERSONNEL  
REVIEW OF MARTIN LUTHER KING, JR.-HARBOR HOSPITAL EMPLOYEES**

**RECOMMENDATION 1:** Re-live scan six employees whose DOJ results remain outstanding and the three employees whose DOJ results could not be processed because of unclear prints. Ensure that the 81 employees from the No Show Log who were reassigned to DHS Administration and/or are on leave have been Live Scanned or will be Live Scanned upon their return from leave.

**DHS Response:**

We concur.

In late July and early August, 2008, DHS HR live scanned the remainder of the 2007 King-mitigated employees that did not have results on file, with the exception of employees on long term leave of absence. DHS will live scan the long term leave employees upon their return to work.

Target date: Completed.

October 2008 Status

Implemented.

**RECOMMENDATION 2:** Codify procedures for documenting job nexus determinations including a detailed justification for each decision

**DHS Response:**

DHS uses a standard format to document these decisions. DHS will consult with DHR regarding the appropriate level of documentation required to support these decisions, and revise as needed.

Target date: October 31, 2008

October 2008 Status

Implemented. After consulting with DHR and CEO, DHS implemented revised procedures for reviewing and documenting job nexus determinations.

**RECOMMENDATION 3:** Consider consolidating the collection of DOJ information by centralizing the receipt of all DOJ results within DHS-HR, and designate staff who are expressly responsible for receiving and analyzing this information.

**DHS Response:**

We concur.



DHS is consolidating the review and processing of DOJ results at its central HR location:

1. DHS has obtained approval from the Department of Justice to access DOJ results at the central DHS HR Performance Management section.
2. In cooperation with a team from the CEO, DHS has developed a new organizational structure and staffing for its HR Performance Management section. This includes a dedicated DOJ Unit, which will review and process all DOJ results. The CEO approved the new staffing plan in September 2008.
3. DHS has assigned employees in its HR Performance Management section to review DOJ results on a daily basis to ensure timely disposition.

Target Date: In process through October 31, 2008.

#### October 2008 Status

Partially implemented. DHS HR assigned designated staff to review DOJ results, and has identified additional staff from the Employee Relations section to review DOJ results. DHS has also hired a new DOJ unit supervisor, who is scheduled to begin on October 23, 2008.

After consultation with the Department of Justice, DHS HR will begin phasing in the centralized review and processing of DOJ results beginning November 1, 2008 (revised target date).

**RECOMMENDATION 4: Work with DHR to review the Job Nexus decisions for the 99 employees in the No Job Nexus category and expedite the review of the 30 DOJ Hits that are classified as In Process.**

#### **DHS Response:**

We concur.

DHS HR continues to actively work to resolve the 30 DOJ Hits referenced above, and has already resolved several of these cases. DHS will continue to consult with DHR and County Counsel as appropriate.

On September 10, 2008, DHR assigned a team to begin reviewing all the cases referenced above.

Target Date: In process through October 31, 2008.

#### October 2008 Status

Implemented. On September 10, 2008, DHR assigned a team to review all the cases referenced above, including the 30 cases that DHS HR was working. DHR is providing a status report to the Board under separate cover. DHS will work with DHR to take required actions.

**RECOMMENDATION 5: Consult with DHR about the possibility of taking disciplinary action against those employees who failed to accurately disclose criminal convictions.**

**DHS Response:**

We concur.

DHS will work closely with DHR to evaluate the cases where employees failed to disclose their convictions, and will consult with DHR and County Counsel regarding potential disciplinary action.

Target Date: In process through October 31, 2008.

**October 2008 Status**

Implemented. DHR reviewed the cases referenced above and will report their recommendations under separate cover. DHS will work with DHR to take required actions.

**RECOMMENDATION 6: Evaluate the propriety of actions by the PM staff who processed the DOJ hits and the two managers involved in the second chance process, and determine if corrective and/or disciplinary action is warranted.**

**DHS Response:**

We concur.

DHS is working with DHR to assess possible disciplinary action against HR employees involved in delays or those who allowed second chances for employees to disclose convictions.

Target Date: In process through October 31, 2008.

**October 2008 Status**

Implemented. DHR has reviewed the actions of the DHS employees involved in delays or those who allowed second chances for employees to disclose convictions and has provided its recommendations to DHS. DHS will work with DHR to take required actions.

**RECOMMENDATION 7: Conduct a detailed analysis of staff training and continuing education programs for patient care staff across DHS facilities.**

**DHS Response:**

We concur.

The DHS Office of Nursing Affairs will conduct an independent assessment of the various components included in staff competency, training, and continuing education. The following components will be assessed:



1. Individual facility competency and training policies and procedures
2. Current policies, procedures, and practices related to the administration, monitoring, and tracking of nursing staff competency, training, and continuing education
3. Review of facility curricula related to staff competency and training
4. Remediation and retesting standards, including policy on the number of times an employee can fail competency exams and subsequent re-assignment as a result of the failure

Upon completion of the assessment phase, the Office of Nursing Affairs will work with facility Chief Nursing Officers in implementing a centralized process for conducting and validating staff competency, which will include the following components:

1. A centralized process for the administration, monitoring, and tracking of nursing staff competency, training, and continuing education
2. A standardized core curriculum based on industry standards and regulatory standards
3. A standardized policy on the number of times nursing personnel can fail competency exams and the number of times nursing personnel can be remediated and retested.
4. A centralized process for monitoring, tracking, and reporting of nursing staff competency
5. A centralized oversight by Office of Nursing Affairs of all components of nursing staff competency, training, and continuing education

Target Date: Completion by March 31, 2009.

#### October 2008 Status

Partially implemented. A committee has been created by the Office of Nursing Affairs consisting of facility Chief Nursing Officers, the Assistant Director of Human Resources, and Nurse Educators. The kick-off meeting was held on September 30, 2008. A project overview of the competency testing program was presented by the Director of Nursing Affairs as outlined below. The committee will meet monthly until the project is completed and competency testing is completed by deadline of March 2009.

- ❖ Methodology for competency assessment and annual skills validation
- ❖ Components of Competency Program:
  - New Hire Orientation including pre-hire medication testing
  - Orientation to new equipment
  - Orientation to new policies and procedures
- ❖ Standardized Curriculum
- ❖ Codified guidelines and policy for retesting and remediation
- ❖ Categories of personnel required to complete competency testing
- ❖ Centralized Tracking and Monitoring
- ❖ Performance Improvement Education

As directed by the Board, the department will not use an outside nursing consultant.

**RECOMMENDATION 8: Develop and codify core curricula for nurse and patient care staff competency examinations based on DHS and industry best practices, and predicated where possible on standards promulgated by licensing or credentialing authorities.**

**DHS Response:**

We concur.

The DHS Office of Nursing Affairs will work with facility Chief Nursing Officers in developing a standardized core curriculum for all nursing personnel (County and non-County) based on industry standards and regulatory standards. (See the DHS action steps for Recommendation 7).

Target Date: Completion by March 31, 2009.

October 2008 Status

Partially implemented. See recommendation 7.

**RECOMMENDATION 9: Establish policies ensuring that minimum testing standards are applied to patient care workers at all facilities.**

**DHS Response:**

We concur.

The Office of Nursing Affairs will work with facility Chief Nursing Officers to develop standardized minimum testing standards for all patient care staff at all facilities. The standards will be incorporated into a system-wide Competency and Training Policy and Procedure. (See the DHS action steps for Recommendation 7).

Target Date: Completion by March 31, 2009.

October 2008 Status

Partially implemented. See recommendation 7.

**RECOMMENDATION 10: Codify guidelines limiting the number of times a patient care worker may fail testing in a particular competency before being re-assigned, retained, and or referred for discipline.**

**DHS Response:**

We concur.



The DHS Office of Nursing Affairs will work with facility Chief Nursing Officers in developing a standardized policy on the number of times nursing personnel can fail competency exams and the number of times nursing personnel can be remediated and retested and subsequently re-assigned after failing competency testing. This policy will be incorporated into a system-wide Competency and Training Policy and Procedure. (See the DHS action steps for Recommendation 7).

Target Date: Completion by March 31, 2009.

October 2008 Status

Partially implemented. See recommendation 7.

**RECOMMENDATION 11: Examine the feasibility of implementing independent oversight for competency examinations, possibly through a third party proctor or via direct supervision by nurse educators from a different medical facility than the examinees.**

**DHS Response:**

We concur.

The DHS Office of Nursing Affairs will provide oversight for competency training and continuing education. This Office will work with facility Chief Nursing Officers on the implementation of system-wide competency training and continuing education programs.

Target Date: Completion by June 30, 2009.

October 2008 Status

Partially implemented. See recommendation 7.

**RECOMMENDATION 12: Centralize the aggregation and reporting of competency test results.**

**DHS Response:**

We concur.

The DHS Office of Nursing Affairs will provide oversight for competency training and continuing education programs. Competency testing data will be aggregated and trended by facility and reported to the Board on a semi-annual basis. The Office of Nursing Affairs will also work with HR Regulatory Compliance Division to develop an integrated database that will be used by both HR and the Office of Nursing Affairs.

Target Date: Completion by June 30, 2009.

#### October 2008 Status

Partially implemented. See recommendation 7.

**RECOMMENDATION 13: Administer competency examinations to all MACC employees with patient care duties using the newly codified uniform standards for testing and remediation.**

#### **DHS Response:**

We concur.

By October 31, 2008, the DHS Office of Nursing Affairs will re-administer competency testing to all MLK MACC nursing staff.

By June 30, 2009 (after new system-wide nursing testing standards are developed), the DHS Office of Nursing Affairs will be responsible for ensuring that the MACC employees undergo same standardized competency testing as that applied to all DHS facilities.

By June 30, 2009, DHS will convene a task force for each major group of allied health professionals (e.g., occupational therapists, physical therapists, etc.). Each task force will develop and implement system-wide standardized competency testing based on industry best practices.

Target Date: Initial testing by October 31, 2008; completion by June 30, 2009.

#### October 2008 Status

Partially implemented. MLK MACC nurses will be tested on core competencies utilizing the format from Harbor-UCLA. Dates for testing are outlined below:

- October 20, 2008 and October 21, 2008 for unlicensed staff
- October 23, 2008 and October 24, 2008 for licensed staff

Deadline for completion of all competency testing: October 31, 2008

**RECOMMENDATION 14: Expedite the implementation of staffing and organizational changes and other reforms arising from DHS/CEO HR review.**

#### **DHS Response:**

We concur.

1. In cooperation with the CEO, DHS HR has begun to implement a new organizational structure for the Performance Management section that will provide for increased supervision and staffing.
2. On June 23, 2008, DHS HR hired a new manager over Performance Management.



3. DHS HR is in the process of hiring additional staff consistent with the new organizational structure. In August 2008, DHS made two offers of employment and hiring efforts continue.

DHS continues to work with the CEO to assess staffing needs, organizational improvements, and needed controls throughout the DHS HR organization, not only in Performance Management.

Target Date: Completion of new organization charts and staffing plan by November 30, 2008.

#### October 2008 Status

Partially implemented. DHS HR continues to fill vacancies in the new organizational structure for Performance Management. To date, five offers of employment have been made.

DHS continues to work with the CEO to assess staffing needs and organizational improvements throughout DHS HR. Draft organization charts and staffing plans are in progress, and are on track for completion by November 30, 2008.

**RECOMMENDATION 15: Examine the duties and responsibilities of HR managers at the MACC.**

#### **DHS Response:**

We concur.

As part of this year's MAPP goals, the DHS HR Administrator and the facility Personnel Officers will reassess the role of the hospital Personnel Officers and determine staffing needs.

Target Date: Completion of new organization charts and staffing plan by November 30, 2008.

#### October 2008 Status

Partially implemented. Working with the CEO team, DHS is developing improved structures to provide more timely and effective HR services to each facility. This includes assessing the role of the facility personnel officers, and evaluating their reporting relationships with central HR staff. DHS will meet with internal managers over the next several weeks to finalize plans by November 30, 2008.

**RECOMMENDATION 16: Consider reorganizing personnel, discipline and performance management operations at the MACC as part of the DHS/CEO HR Review.**

**DHS Response:**

We concur.

As noted above, the DHS and the CEO are currently evaluating how DHS Human Resources is organized and staffed. DHS is moving to implement the organizational restructure proposed for Performance Management, and will review other functions over the next two months.

Target Date: Completion of new organization charts and staffing plan by November 30, 2008.

October 2008 Status

Partially implemented. DHS and the CEO are evaluating how DHS HR is organized and staffed, with a goal to complete new organization charts and staffing plans by November 30, 2008.